



Docket No. 2024738-7030240000  
CYM-037 (11.020012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
Garrick Maenle, et al ) Group Art Unit: 2872  
Serial No.: 10/008,379 ) Confirmation No.: 4705  
Filed: November 5, 2001 ) Examiner: Lee Fineman  
For: CYTOLOGICAL IMAGING )  
SYSTEMS AND METHODS )  
)

**PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48 (a) (1)**

M/S: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

The undersigned attorney for applicant petitions the Commissioner of Patents and Trademarks to change the inventorship of the above-identified patent application to add David Zahniser as an inventor.

Accompanying this petition are: (1) a statement by David Zahniser that the failure to name him as an inventor was without his deceptive intent; (2) a statement of consent to the change of inventorship by the assignee, Cytac Corporation; (3) a Supplemental Declaration executed by all inventors including David Zahniser; (4) Supplemental Application Data Sheet with updated inventors' information, and (5) a copy of Assignment from David Zahniser to Cytac Corporation with copy of confirmation receipt from PTO.

Please add the name of David Zahniser as an inventor for the above-identified Application and correct the United States Patent and Trademark Office's records accordingly to reflect this addition.

The Commissioner is hereby authorized to charge to Bingham McCutchen's Deposit Account No. **50-2518** the fee of \$130.00 as set forth in 37 CFR § 1.17(i).

Should there be any questions on this matter, the Examiner is respectfully requested to telephone the undersigned at (650) 849-4400.

Respectfully submitted,  
BINGHAM McCUTHEN LLP

Dated: 4/4/05

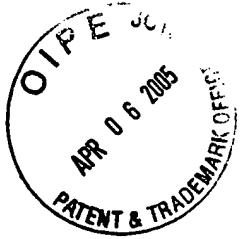
By:



David T. Burse  
Reg. No. 37,104

23639  
PATENT TRADEMARK OFFICE

BINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
(650) 849-4400



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**STATEMENT BY OMITTED INVENTOR, DAVID ZAHNISER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

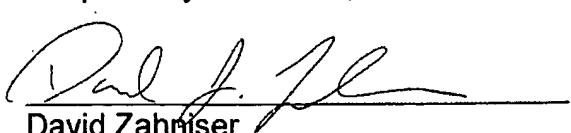
Sir,

I, David Zahniser, should be added as an inventor of the above-identified patent application. The omission of my name as an inventor in the original declaration occurred without any deceptive intent on my part.

I declare that all statements made by me herein are of my own knowledge and are true and correct and that they are made with the knowledge that willful false statements are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of enforceability of a patent that may issue from the above-identified patent application.

Respectfully submitted,

Date: 3/23/05

  
\_\_\_\_\_  
David Zahniser



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**CONSENT OF ASSIGNEE TO ADD INVENTOR**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

CYTYC CORPORATION is the assignee of the above-identified patent, as evidenced by the enclosed copy of assignment and recordation. Cytyc Corporation a Delaware Corporation hereby consents to the addition of David Zahniser as a named co-inventor on the above-referenced patent application.

The undersigned is empowered to act on behalf of the assignee.

CYTYC CORPORATION

Dated: 3/25/05

By: Mark Casey

Name: Mark Casey  
Title: Vice President, Deputy General and Chief Patent Counsel  
Address: 250 Campus Drive, Marlborough, Massachusetts 01752